

SPECIAL SESSION

JOURNAL OF THE SENATE

Thursday, August 3, 1967

The Senate was called to order by the President at 9:30 a.m. The following Senators were recorded present:

| | | | |
|---------------|-------------|----------|-------------|
| Mr. President | de la Parte | Hollahan | Sayler |
| Askew | Edwards | Horne | Shevin |
| Bafalis | Elrod | Johnson | Slade |
| Barron | Fincher | Knopke | Stockton |
| Barrow | Fisher | Lane | Stolzenburg |
| Bell | Friday | McClain | Stone |
| Boyd | Gibson | Mathews | Thomas |
| Broxson | Gong | O'Grady | Weber |
| Chiles | Griffin | Ott | Weissenborn |
| Clayton | Gunter | Plante | Wilson |
| Cross | Haverfield | Poston | Young |
| Deeb | Henderson | Reuter | |

47. A quorum present.

Excused: Senator Spencer.

Senators Gong and Thomas for the afternoon session.

Prayer by Senator Warren S. Henderson of the 32nd Senatorial District:

Dr. Peter Marshall before the United States Senate, May 6, 1948:

Hear us, our Father, as we pray for a freshness of spirit to renew our faith and brighten our hopes. Create new warmth and love between the Members of the Senate and those who work with them, that they may go about their work not head first but heart first. May they be able to disagree without being disagreeable and to differ without being difficult. In an atmosphere of team spirit, give them freedom to be honest without tension and frank without offense, that thy spirit will not be driven from their midst. This we ask in Jesus' name. Amen.

The reading of the Journal was dispensed with.

The Journal of August 2 was corrected and approved.

MESSAGE FROM THE GOVERNOR

By direction of the President, the Secretary of the Senate read the following communication from Honorable Claude R. Kirk, Jr., Governor of Florida.

*Honorable Verle A. Pope
President of the Senate
The Capitol
Tallahassee, Florida*

August 3, 1967

Dear Sir:

It is my pleasure to inform the Senate of the following appointments and respectfully request confirmation thereof:

Maurice M. Condon, Pinellas County Expressway Authority, for a term ending January 3, 1969.

Elliott W. Holland, Pinellas County Expressway Authority, for a term ending January 3, 1969.

Thomas J. Murphy, Pinellas County Expressway Authority, for a term ending January 3, 1971.

Harry W. Fogle, Assistant State Attorney, Sixth Judicial Circuit, succeeding Roy M. Speer, resigned, for a term ending the first Tuesday after the first Monday in January, 1969.

Respectfully submitted,
CLAUDE R. KIRK, JR.
Governor

The Secretary of the Senate announced that pursuant to Senate Rule 15.2, the President had appointed the following Select Committee: Senator Young, Chairman; Senators Wilson, Sayler and Deeb.

On motion by Senator Mathews, pursuant to Rule 5.12 the Senate resolved itself into a Committee of the Whole for the

purpose of further discussion, explanation and study of SJR 2-XXX(67).

COMMITTEE OF THE WHOLE

Senators Mathews, McClain and Friday explained certain provisions of SJR 2-XXX(67).

The hour of adjournment having arrived, a point of order was called and the Committee of the Whole recessed at 12:05 p. m.

AFTERNOON SESSION

The Committee of the Whole was called to order by Senator Barron at 1:30 p. m. A quorum present.

Explanation and study of SJR 2-XXX(67) was resumed.

Senator Friday explained certain provisions of SJR 2-XXX(67).

Senator Mathews moved that the Committee of the Whole rise. Which was agreed to.

The Senate was called to order by the President at 1:45 p. m. The following Senators were recorded present:

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|---------------|-------------|---------|-------------|
| Mr. President | de la Parte | Horne | Shevin |
| Askew | Edwards | Johnson | Slade |
| Bafalis | Elrod | Knopke | Stockton |
| Barron | Fincher | Lane | Stolzenburg |
| Barrow | Fisher | McClain | Stone |
| Bell | Friday | Mathews | Weber |
| Boyd | Gibson | O'Grady | Weissenborn |
| Broxson | Griffin | Ott | Wilson |
| Chiles | Gunter | Plante | Young |
| Clayton | Haverfield | Poston | |
| Cross | Henderson | Reuter | |
| Deeb | Hollahan | Sayler | |

45. A quorum present.

The President appointed Senators Mathews, Fisher, Stockton and Slade as a Committee to escort into the Chamber and to the rostrum a distinguished group in traditional costume from the cast of Cross and Sword.

The members of the group and their general manager, Mr. Thomas P. Rahner, were escorted to the rostrum by the Committee where the President presented them to the Senate and invited Mr. Rahner to address the Senate. While the young ladies of the cast distributed to the members souvenir programs and complimentary tickets, Mr. Rahner explained the symphonic drama, Cross and Sword, which commemorates the founding of St. Augustine, Florida, by Don Pedro Menendez de Aviles in 1565, and extended a cordial invitation to the Body to attend the production during this third season which terminates on September 3, 1967.

On motion by Senator Mathews, the rules were waived and the Senate reverted to the order of —

INTRODUCTION

By the required Constitutional two-thirds vote of the Senate the following bill was admitted for introduction and consideration:

By Senators Askew and Mathews—

SB 3-XXX(67)—A bill to be entitled An act relating to legislative spending philosophy; amending sections 282.021, 282.051, 282.061 and 282.081, Florida Statutes; providing an effective date.

Was read the first time by title. On motion by Senator Askew, the rules were waived and the bill was placed on the Calendar.

Unanimous consent was granted Senator Askew to take up SB 3-XXX(67) out of order.

On motions by Senator Askew, the rules were waived and SB 3-XXX(67) was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—45 Nays—None

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|---------------|-------------|---------|-------------|
| Mr. President | de la Parte | Horne | Shevin |
| Askew | Edwards | Johnson | Slade |
| Bafalis | Elrod | Knopke | Stockton |
| Barron | Fincher | Lane | Stolzenburg |
| Barrow | Fisher | McClain | Stone |
| Bell | Friday | Mathews | Weber |
| Boyd | Gibson | O'Grady | Weissenborn |
| Broxson | Griffin | Ott | Wilson |
| Chiles | Gunter | Plante | Young |
| Clayton | Haverfield | Poston | |
| Cross | Henderson | Reuter | |
| Deeb | Hollahan | Sayler | |

The bill was certified to the House.

By Senators Barron, Pope, Horne, Barrow, Clayton, Gibson, Broxson and Edwards—

SJR 4-XXX(67)—A joint resolution proposing an amendment to Section 7 of Article X of the State Constitution to change the homestead exemption to ten thousand dollars (\$10,000.00) and to totally exempt the homestead of a totally disabled war veteran.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 7 of Article X of the State Constitution is agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1968:

SECTION 7. Exemption of homestead from taxation.—Every person who has the legal title or beneficial title in equity to real property in this state and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of [five] ten thousand dollars (\$10,000.00) on said home and contiguous real property, as defined in Article X, Section 1, of the Constitution, for the year 1939 and thereafter, provided that in Sarasota County the first two thousand dollars (\$2,000.00) of the assessed valuation of such property shall be taxable for school purposes only and the exemption shall apply to the next [five] ten thousand dollars (\$10,000.00) for school purposes only of assessed valuation. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than [five] ten thousand dollars (\$10,000.00) shall be allowed to any one (1) person or on any one (1) dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. Provided further, that the homestead of each totally disabled veteran of a war of the United States, shall be totally and completely exempt from all ad valorem taxation. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

Which was read the first time in full and referred to the Committee on Rules and Calendar.

Senator Mathews moved that the rules be waived and when the Senate adjourns it adjourn to reconvene at 9:00 a. m., August 4 and remain in session until 1:00 p. m., and that when the Senate adjourns on August 4, it adjourn to reconvene at 10:00 a. m. on August 7. Which was agreed to.

On motion by Senator Mathews, pursuant to Senate Rule 5.12 the Senate resolved itself into a Committee of the Whole.

Senator Pope presiding.

The Committee of the Whole took up for consideration SJR 2-XXX(67).

Senator Cross presiding.

Consideration of proposed amendment 1 by Senator Weber was temporarily deferred.

On motion by Senator Mathews, time of adjournment was extended until final action on amendment 2.

Senator Weber offered the following amendment which failed:

Amendment 2—Declaration of Rights, Section 2, page 1, beginning at line 13, as follows: Strike all of Section 2 and insert in lieu thereof:

Section 2. Basic rights.—All persons are equal before the law and have inalienable rights, among which are the right to enjoy life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess, dispose of, and protect property; except that the ownership, inheritance, disposition and possession of real property by aliens ineligible for citizenship may be regulated or prohibited by law. No person shall be deprived of any right because of race or religion.

The vote was:

Yeas—11

| | | | |
|---------|---------|-------------|-------|
| Bafalis | Johnson | Reuter | Weber |
| Deeb | O'Grady | Sayler | Young |
| Elrod | Ott | Stolzenburg | |

Nays—27

| | | | |
|---------------|---------|------------|----------|
| Mr. President | Chiles | Griffin | Plante |
| Askew | Clayton | Gunter | Shevin |
| Barron | Cross | Haverfield | Slade |
| Barrow | Edwards | Horne | Stockton |
| Bell | Fisher | Knopke | Stone |
| Boyd | Friday | McClain | Wilson |
| Broxson | Gibson | Mathews | |

Senator Mathews moved that the Committee of the Whole rise. Which was agreed to.

The Senate was called to order by Senator Cross at 3:58 p.m. The following Senators were recorded present:

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|---------------|-------------|---------|-------------|
| Mr. President | de la Parte | Horne | Shevin |
| Askew | Edwards | Johnson | Slade |
| Bafalis | Elrod | Knopke | Stockton |
| Barron | Fincher | Lane | Stolzenburg |
| Barrow | Fisher | McClain | Stone |
| Bell | Friday | Mathews | Weber |
| Boyd | Gibson | O'Grady | Weissenborn |
| Broxson | Griffin | Ott | Wilson |
| Chiles | Gunter | Plante | Young |
| Clayton | Haverfield | Poston | |
| Cross | Henderson | Reuter | |
| Deeb | Hollahan | Sayler | |

45. A quorum present.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 4:05 p. m. to reconvene at 9:00 a. m., August 4, 1967.